

## Article - Public Utilities

[\[Previous\]](#)[\[Next\]](#)

§8–105.

(a) If, within a reasonable time after due notice, a telegraph or telephone company or a corporation authorized under § 5-410(a)(3) of this article fails or refuses to remove telegraph, telephone, or electric facilities causing damage, the owner or possessor of land or a political subdivision may sue for damages.

(b) (1) If the person filing suit for damages under this section prevails, the company may elect to pay damages for allowing the company to maintain the facilities permanently.

(2) If the damages paid include damages for allowing the company to maintain the facilities permanently, the right of the company to maintain the facilities permanently shall be confirmed as if the right were granted by the parties to the suit.

[\[Previous\]](#)[\[Next\]](#)